

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and indicating that claim 15 contains allowable subject matter.

Disposition of Claims

Claims 1-16 are pending in this application. Claims 1 and 11 are independent. Claim 15 has been amended in this reply to be independent. A new independent claim 16 has been added in this reply. The remaining claims depend, directly or indirectly, from claims 1 and 11.

Objections

The specification and claims were objected to because of the use of the term "child-proof." The term "child-proof" has been replaced with "child-resistant" throughout the specification.

The Examiner objected to the term "child-proof" because of the belief that children are capable of operating the structures discussed in the present application. The term "child-proof" is commonly used to refer to devices intended to prevent access for a child. Paragraph [0018] of the present application provides several examples of devices that may be given the "child-proof" label. Each relies on the need for counter-intuitive actions to limit a child's access.

Few devices, if any, can be 100 percent "child-proof" because of the varying motor and reasoning abilities of children. For example, Applicant notes that the device

disclosed in U.S. Patent No. 5,480,318 (Garrison) is labeled as a “childproof electrical plug.” Applicant believes that the childproof electrical plug disclosed by Garrison could be circumvented by a child with sufficient pulling on the plug, or by using a hairpin or bent paper clip. An alternative label sometimes used in the art is “child-resistant.” The “child-resistant” label is primarily used to limit liability because of the knowledge that a child may be able to circumvent “child-proof” devices. Instances of “child-proof” in the present application have been replaced with “child-resistant” to better describe the embodiments. Removal of this objection is respectfully requested.

Claims 7, 8, 14, and 15 were objected to for lack of antecedent basis. Claim 7 has been amended to depend from claim 6, which corrects the antecedent basis for “the second end.” Claims 14 and 15 have been amended to recite “the electrical device” instead of “the electronic device.” Removal of the objections to claims 7, 8, 14, and 15 is respectfully requested.

Rejections under 35 U.S.C § 102

CLAIMS 1, 2, 4-7, 9, AND 10 - FALLER

Claims 1, 2, 4-7, 9, and 10 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,344,329 issued to Faller. Claim 1 has been amended in this reply to clarify the present invention. As amended, claim 1 is drawn specifically to a safety plug for a *mobile* power port, which is supported throughout the specification. To the extent that this rejection may still apply to the amended claim 1 and its dependents, the rejection is respectfully traversed.

Amended claim 1 recites a safety plug that comprises a body having a first end

adapted to be inserted into a mobile power port, a locking device connected to the body for reversibly engaging an inside of the mobile power port, and a control device operatively coupled to the locking device for disengaging the locking device from the inside of the mobile power port. The control device comprises a child-resistant mechanism.

Faller discloses a keyed security device for blocking unauthorized access to plug-in sockets for devices such as speakers and musical instruments. Faller is silent on any potential application of the device for power outlets such as those found in automobiles. The Applicant notes that the locking device disclosed by Faller would be difficult to operate by an adult while driving because of the need for inserting a key. In contrast, the present invention provides a balance between easy access for an adult and preventing access for children. Further, the latching mechanism disclosed by Faller relies on having a larger bore that forms a lip beyond an initially smaller bore as shown in Figure 1. In contrast, mobile power ports, as recited in amended claim 1, have substantially smooth bores with dead ends that prevent the use of prior art mechanisms that rely on a lip or other feature within the outlet to function.

In view of the above, Faller fails to show or suggest the present invention as recited in amended claim 1. Thus, claim 1 as amended is patentable over Faller. Dependent claims 2, 4-7, 9, and 10 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

CLAIMS 1, 2, 4-7, 9-12, AND 14 - GARRISON

Claims 1, 2, 4-7, 9-12 and 14 were rejected under 35 U.S.C. § 102 as being

anticipated by U.S. Patent No. 5,480,318 issued to Garrison. Claim 1 has been amended in this reply to clarify the present invention. To the extent that this rejection may still apply to the amended claim 1 and its dependents, the rejection is respectfully traversed.

As discussed above, claim 1 relates to a safety device for mobile power ports. Garrison discloses a childproof electrical plug for 3-prong outlets, such as those found in a house. Specifically, Garrison discloses a catch mechanism disposed in the prong for grounding the electrical plug. Mobile power ports, with which the present invention is used, do not have grounding prongs because of the inability to ground out an electrical device inside of a vehicle resting on rubber tires. Thus, Garrison, which relies on a grounding means to function, cannot anticipate a safety plug for use with mobile power ports as recited in claim 1.

Further, Garrison relies on contact blades that engage with (*i.e.* dig in) the wall of the grounding receptacle (column 2, line 60 through column 3, line 3). This aspect of Garrison works because the grounding receptacle is typically made of a soft conductor such as copper, while the contact blades are made of a harder metal. Mobile power ports are typically made of stainless steel, which is much harder than copper. The present invention, unlike Garrison, uses friction between the mechanism and the inside of the mobile power port. This approach does not mar the interior surface of the mobile power port.

In view of the above, Garrison fails to show or suggest the present invention as recited in amended claim 1. Thus, claim 1 as amended is patentable over Garrison. Dependent claims 2, 4-7, 9-12 and 14 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C § 103

Claims 3, 8, and 13 were rejected under 35 U.S.C. § 103 as obvious over Garrison. This rejection is respectfully traversed.

As discussed above, Garrison fails to show or suggest the present invention as recited in amended claim 1. Claims 3, 8, and 13, which depend from claim 1, are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claim 15 contains allowable subject matter. Claim 15 has been amended to independent form by including all of the limitations from the original claims 1 and 11, from which claim 15 originally depended. Accordingly, withdrawal of this rejection is respectfully requested.

New Claim

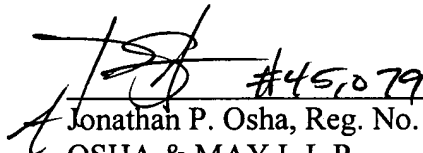
Claim 16 has been added in this reply. Claim 16 includes “means plus function” language to describe a safety plug. The new claim 16 is fully supported by the specification and drawings, and does not constitute new matter.

Conclusion

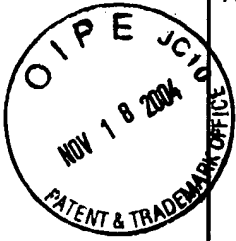
Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17066/002001).

Respectfully submitted,

Date: 11/18/04


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Amendment.